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*Attorneys for Proposed  
Lead Plaintiff Keith Johnson*

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
SOUTHERN DIVISION**

FRED JEAN,

Plaintiff(s),

vs.

STEC, INC. ET AL,

Defendant(s).

Case No. 8:09-cv-01304-JVS-MLG

**DECLARATION OF JEFFREY R  
KRINSK IN SUPPORT OF  
MOTION OF KEITH JOHNSON  
FOR APPOINTMENT AS LEAD  
PLAINTIFF; APPROVAL OF LEAD  
COUNSEL AND CONSOLIDATION  
OF ACTIONS**

Date: N/A

Time: N/A

Place: Courtroom 10-C

Before: The Honorable James V.  
Selna

1 Declaration of Jeffrey R. Krinsk:

2 I, the undersigned, Jeffrey R. Krinsk, submit this declaration in  
3 support of movant Keith Johnson's motion for lead plaintiff and appointment of  
4 lead counsel and consolidation of actions hereby declare under the penalty of  
5 perjury that the foregoing is true and correct:

6  
7 1. I am a member in the firm of Finkelstein & Krinsk LLP and am  
8 licensed to practice law in the State of California and this District.

9 2. I submit this Declaration in support of the Motion of Keith Johnson's  
10 for appointment as lead plaintiff, appointment of lead counsel and consolidation of  
11 actions

12 3. Attached hereto as Exhibit A is a true and correct copy of the  
13 Certification of Keith Johnson.

14 4. Attached hereto as Exhibit B is a true and correct copy of the  
15 estimated loss calculations for Keith Johnson.

16 5. Attached hereto as Exhibit C is a true and correct copy of the notice  
17 published pursuant to the Private Securities Litigation Reform Act by Glancy,  
18 Binkow & Goldberg LLP, dated November 6, 2009.

19 6. Attached hereto as Exhibit D is a true and correct copy of the Firm  
20 Resume of Finkelstein & Krinsk LLP.

21  
22 EXECUTED on the 5th day of January, 2010.

23 s/ Jeffrey R. Krinsk  
24 Jeffrey R. Krinsk  
25  
26  
27  
28

**Exhibit A**

CERTIFICATION OF PLAINTIFF KEITH JOHNSON  
PURSUANT TO FEDERAL SECURITIES LAWS

Mr. Keith Johnson, hereby certifies as follows:

1. I have reviewed the complaint against STEC, Inc. and its officers and authorize its filing.

2. I did not purchase the security that is the subject of this action at the direction of counsel or in order to participate in this private section.

3. I am willing to serve as a representative party on behalf of the class, including providing testimony at deposition and trial, if necessary.

4. To the best of my current knowledge, the following are all my transactions in STEC, Inc. securities during the class period referenced in the complaint:

<u>Date</u>	<u>Purchased or Sold</u>	<u>No. of Shares</u>	<u>Price per Share</u>
10/23/09	Purchased	300	\$25.30
11/06/09	Sold	300	13.55

5. I have not served as a class representative in a federal securities case in the last three years.

6. I will not accept any payment for serving as a representative party on behalf of the class beyond Plaintiff's pro rata share of any recovery, except as ordered or approved by the court, including any award for reasonable costs and expenses (including lost wages) directly relating to the representation of the class

7. The matters stated in this certification are true to the best of my current knowledge, information and belief.

8. I hereby certify, under penalty of perjury in accordance with the laws of Minnesota and California that the foregoing is true and correct.

DATED: December 31st, 2009

  
\_\_\_\_\_  
KEITH JOHNSON

**Exhibit B**

## Keith Johnson's Purchases and Estimated Losses (Class Period 6/16/09 - 11/3/09)

<u>Name</u>	<u>Purchase Date</u>	<u>Shares Purchased</u>	<u>Share Price</u>	<u>Total Cost</u>	<u>Dates Sold</u>	<u>Shares Sold</u>	<u>Share Price</u>	<u>Total Sale Proceeds</u>	<u>Total Gain (Loss)</u>
Keith Johnson	10/23/2009	300	\$25.30	\$7,590.00	11/6/2009	300	\$13.55	\$4,065.00	\$3,525.00
Johnson's Totals:		300		\$7,590.00		300		\$4,065.00	\$3,525.00

**Exhibit C**



Print Back to story

## Glancy Binkow & Goldberg LLP, Representing Investors Who Purchased STEC, Inc., Announces Class Action Lawsuit and Seeks to Recover Losses



Companies: [Stec, Inc.](#)

Press Release Source: Glancy Binkow & Goldberg LLP On Friday November 6, 2009, 7:32 pm EST

LOS ANGELES--(BUSINESS WIRE)--Notice is hereby given that Glancy Binkow & Goldberg LLP has filed a class action lawsuit in the United States District Court for the Central District of California on behalf of a class consisting of all persons or entities who purchased the securities of STEC, Inc. ("STEC" or the "Company") (NASDAQ:STEC - News) between August 3, 2009 and November 3, 2009, inclusive (the "Class Period").

A copy of the Complaint is available from the court or from Glancy Binkow & Goldberg LLP. Please contact us by phone to discuss this action or to obtain a copy of the Complaint at (310) 201-9150 or Toll Free at (888) 773-9224, by email at [info@glancylaw.com](mailto:info@glancylaw.com), or visit our website at <http://www.glancylaw.com>.

The Complaint charges STEC and certain of the Company's executive officers with violations of federal securities laws. STEC designs, manufactures and markets enterprise-class solid state drives, for use in high performance storage and server systems, and high density dynamic random access memory, modules for networking, communications and industrial applications. The Complaint alleges that throughout the Class Period defendants knew or recklessly disregarded that their public statements concerning STEC's business, operations and prospects were materially false and misleading. Specifically, the defendants made false and/or misleading statements and/or failed to disclose: (1) that the Company over sold its largest customer more inventory than it required; (2) that, as such, the Company overstated the demand for its ZeusIOPS SSD products; (3) that the Company's subsequent revenue and financial results for the following year would be negatively impacted; and (4) that, as a result of the above, Defendants' statements during the Class Period lacked a reasonable basis.

On November 3, 2009, STEC shocked investors when it announced that one of its largest customers, which accounts for 90 percent of STEC's ZeusIOPS SSD business and which had placed a \$120 million order for the second half of 2009, would carry 2009 inventory into 2010, placing STEC's 2010 first quarter results at risk. As a result of this news, shares of STEC declined \$9.01 per share, more than 38%, to close on November 4, 2009, at \$14.14 per share, on unusually heavy volume.

Plaintiff seeks to recover damages on behalf of class members and is represented by Glancy Binkow & Goldberg LLP, a law firm with significant experience in prosecuting class actions, and substantial expertise in actions involving corporate fraud.

If you are a member of the class described above, you may move the Court, no later than 60 days from the date of this Notice, to serve as lead plaintiff; however, you must meet certain legal requirements. If you wish to discuss this action or have any questions concerning this Notice or your rights or interests with respect to these matters, please contact Michael Goldberg, Esquire, or Richard A. Maniskas, Esquire, of Glancy Binkow & Goldberg LLP, 1801 Avenue of the Stars, Suite 311, Los Angeles, California 90067, by telephone at (310) 201-9150 or Toll Free at (888) 773-9224, by e-mail to [info@glancylaw.com](mailto:info@glancylaw.com), or visit our website at <http://www.glancylaw.com>.

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### Contact:

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**Exhibit D**

**FINKELSTEIN & KRINSK LLP**  
**PRÉCIS**

The following is a concise summary of the resume of the law firm of Finkelstein & Krinsk LLP. The named partners of this San Diego, California-based law firm have been recognized for successfully prosecuting hundreds of class action lawsuits since 1987. The firm's experience centers on the prosecution of violations of the federal and state securities and antitrust laws, the law of corporate governance, including derivative actions, and business/consumer fraud cases.

**PARTNERS**

**HOWARD D. FINKELSTEIN**

Howard D. Finkelstein graduated in 1976, from Temple University, School of Law, Philadelphia, Pennsylvania, and was engaged as law clerk to the Honorable Donald W. VanArtsdalen, United States District Court for the Eastern District of Pennsylvania. As law clerk to Judge VanArtsdalen, he assisted the Court in the research and analysis of numerous cases involving violations of Federal Securities Laws, Antitrust Laws, and complex business fraud claims.

After completing his clerkship in 1978, Mr. Finkelstein became an associate attorney with the law firm of Montgomery, McCracken, Walker & Rhoads in Philadelphia, Pennsylvania, and was assigned to the complex litigation department. In that capacity, he was recognized for successfully defending a number of antitrust and securities suits. He was, thereafter, appointed an Assistant United States Attorney responsible for the investigation and prosecution of numerous, multiple defendant, mail fraud, securities fraud, and RICO cases.

In 1982, upon relocating to San Diego, California, he joined the firm of Milberg, Weiss, Bershad, Hynes & Lerach and worked on a number of plaintiff class action securities cases. In 1984, he joined the firm of Jenkins & Perry and gained substantial recognition as the partner in charge of the litigation department. That firm specialized in complex business litigation and, in particular, successfully represented Decatur Income Fund, Inc., a large institutional investor, as a class plaintiff in In Re Nucorp Securities Litigation.

In 1987, Mr. Finkelstein founded the firm of Finkelstein & Associates, specializing in class action litigation, which subsequently became Finkelstein & Krinsk LLP. Since August 1, 2005, Mr. Finkelstein has been Of Counsel with Finkelstein & Krinsk LLP.

**JEFFREY R. KRINSK**

Jeffrey R. Krinsk graduated in 1974 from Boston University Law School in Boston, Massachusetts, and was admitted to active practice in the State of New York on November 17, 1975. As an associate at the New York law firm of Norton & Christenson, he contributed to numerous

cases involving intricate violations of federal law and, thereafter, participated in complicated and complex litigation against large corporations and the United States Government.

With this outstanding litigation experience, Mr. Krinsk relocated to California to join Hang Ten International, Inc., as its General Counsel and Chief Legal Officer. Mr. Krinsk was, thereafter, promoted to Chief Operating Officer and General Counsel for the corporation and oversaw and directed in excess of thirty-five law firms in over sixty countries while fulfilling corporate litigation and transactional needs. In 1983, Mr. Krinsk relocated to Los Angeles, California, where he joined Guess?, Inc. as its President, assuming a broad array of related legal responsibilities. Thereafter, Mr. Krinsk was elected Chairman and CEO of publicly-traded Fabulous Inns of America, and conducted complex derivative and securities litigation on behalf of its shareholders. This substantial business experience has provided an invaluable perspective in the prosecution of class action corporate litigation.

## MARK L. KNUTSON

Mark L. Knutson graduated in 1987 from University of San Diego School of Law in San Diego, California, and was admitted to active practice in the State of California on December 14, 1987. As an associate at the Law Offices of Anton N. Handal, in San Diego, California, Mr. Knutson specialized as in-house counsel for a number of mid-sized California and Florida corporate clients primarily involved in the Entertainment Industry. In that capacity, he was recognized for successfully defending a number of shareholder and securities suits as well as successfully prosecuting actions for antitrust violations.

In 1989, Mr. Knutson became a member of the firm of Finkelstein & Associates initially as an associate and later as a partner, which subsequently became Finkelstein & Krinsk LLP. In those positions, Mr. Knutson has worked on over 200 plaintiff class actions involving federal securities and antitrust violations and complex consumer fraud cases in California and throughout the Nation. Mr. Knutson is a member in good standing with the State Bar of California and has also been admitted before the United States Ninth Circuit Court of Appeals, and the United States District Courts for the Southern and Central Districts of California, and the Central District of Illinois.

## THE FIRM

Since its inception, the firm has specialized in investigating and prosecuting large scale securities violations on behalf of private and institutional investors, as well as derivative claims arising from directors' failure to comply with their statutory duties. The firm is a long standing member of the National Association of Securities and Commercial Law Attorneys and has received consistent recognition for its creative persistence in handling complex litigation.

The credentials of the firm include being appointed lead counsel and executive committee positions on behalf of plaintiff classes in multiple successful securities fraud, shareholder derivative and consumer class action cases, including, for example, In Re Chiron Shareholders Derivative Litigation, a shareholder derivative action alleging various breaches of fiduciary duties; In Re Chiron Shareholders Deal Litigation, a shareholder class action involving a \$4.5 billion merger transaction; In Re Great American Bank Securities Litigation, a class action alleging violations of the Federal Securities Acts; In Re Safeskin Sec. Litig. (same); In Re Revlon Sec. Litig. (same); Risk v. Caribiner

International; Hurst v. Monarch Equities Corporation, a class action alleging violations of the Commodities & Exchange Act; Weld v. Chiron Corp.; Chiment v. M/A-COM, Inc., a class action alleging violations of ERISA; In Re State Farm Mutual Automobile Insurance Company, a California resident consumer class action alleging unfair business practices; In Re Manufacturers Life Insurance Premium Litigation, a nationwide consumer class action alleging insurance fraud; Levine v. The Guardian Life Insurance Company of America, a California resident disability policyholder class action; In Re Massachusetts Mutual Life Ins. Co. Vanishing Premium Sales Litig., a nationwide policyholder class arising out of "vanishing premium" life insurance policy sales practices; Campbell v. AirTouch Cellular, nationwide consumer class action against Verizon Wireless for violations of unfair trade practices (lead counsel in a nationwide consumer class of over 43 million consumers); In Re DSL Service Cases, a J.C.C.P. California resident class action involving claims of false advertising and consumer fraud (lead counsel in coordinated action); Burton v. MTL Ins. Co., a nationwide policyholder class action involving violations of Illinois consumer fraud laws; Kushner v. AT&T Corp., a California resident consumer class action (lead counsel); Maugeri v. The Credit Store, a nationwide consumer class action involving deceptive debt collection practices; and Smith v. Wells Fargo, a California resident consumer class action involving false advertisement claims (lead counsel); Phebus v. Wells Fargo Bank (lead counsel in coordinated action); Feferman v. Hewlett Packard (lead counsel); Berensen v. Toyota Motor Corp. (lead counsel); Maugeri v. The Credit Store, (lead counsel). The firm has successfully prosecuted hundreds of class action securities and consumer cases recovering hundreds of millions of dollars in losses suffered by victims of business, consumer and similar fraud recovering billions of dollars in losses.

#### **OTHER NOTED CASES**

In the insurance related area, the firm is currently lead counsel in Tench v. Jackson National Life Ins. Co., an Illinois resident policyholder class for violations of Illinois consumer fraud laws arising from the sale of "vanishing premium" life insurance products; and Albanoski v. American National Insurance Company, a California resident class arising out of unlawful and deceptive sales practices involving the sale of universal life insurance products. In addition, the firm has also jointly prosecuted a number of cases throughout the United States against numerous insurance companies for various improper claims practices.

The firm has senior and junior associate-level attorneys ranging in experience from three to seventeen years and a staff of full-time paralegals ranging in experience from one to fifteen years. All staff members are experienced in the investigation and prosecution of this type of litigation. The firm maintains state of the art computer technology providing access to a broad range of databank/online information to assist in its investigation and research responsibilities and maintains a full-time word processing department. For more information regarding the firm and a list of cases successfully prosecuted by the firm, please contact:

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